

AGENDA

TUSAYAN TOWN COUNCIL SPECIAL MEETING

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03
Monday, December 22, 2014 at 8:00am
TUSAYAN TOWN HALL BUILDING
845 Mustang Drive, Tusayan Arizona

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Tusayan Town Council and to the general public that the Tusayan Town council will hold a meeting open to the public on Monday, December 22, 2014 at the Tusayan Town Hall Building. If authorized by a majority vote of the Tusayan Town Council, an executive session may be held immediately after the vote and will not be open to the public. The Council may vote to go into executive session pursuant to A.R.S. § 38-431.03.A.3 for legal advice concerning any matter on the agenda, including those items set forth in the consent and regular agenda sections. The Town Council may change, in its discussion, the order in which any agenda items are discussed during the course of the meeting.

Persons with a disability may request a reasonable accommodation by contacting the Town Manager at (928) 638-9909 as soon as possible.

As a reminder, if you are carrying a cell phone, electronic pager, computer, two-way radio, or other sound device, we ask that you silence it at this time to minimize disruption of today's meeting.

TOWN COUNCIL SPECIAL MEETING AGENDA

- 1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**

**MAYOR GREG BRYAN
VICE MAYOR CRAIG SANDERSON**

**COUNCILMEMBER BILL FITZGERALD
COUNCILMEMBER AL MONTOYA
COUNCILMEMBER JOHN RUETER**

❖ *One or two Council Members may attend by telephone*

3. ACTION ITEM

Consideration, discussion, and possible approval of Forest Service Cost Recovery Agreement for access to Town Housing Parcels and Kotzin Ranch

The Town Council may decide to go into executive session pursuant to A.R.S. § 38-431.03.A.3 and A.4 for legal advice from, and to consult with, the Town Attorney.

4. MOTION TO ADJOURN

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at the General Store in Tusayan, Arizona on this 18th day of December 2014, at 3:55 pm in accordance with the statement filed by the Tusayan Town Council.


Signature of person posting the agenda



File Code: 2720

Date: December 5, 2014

GREG BRYAN
MAYOR
TOWN OF TUSAYAN, ARIZONA
PO BOX 709
TUSAYAN, AZ 86023

Dear Mr. Bryan:

On August 22, 2014 I sent you a letter informing you that I have accepted the Town of Tusayan's application for Transportation and Utility Systems, and Facilities on Federal Lands within the Tusayan Ranger District of the Kaibab National Forest. That letter forwarded to you the *Cost Recovery Agreement 14MJ-11030704501*, along with the associated appendices, to start the processing of the application. Since then, the Town of Tusayan has proposed changes to the language in *Appendix C, Scope of Work*, and has proposed language for Attachment A to the Scope of Work for the *Communication Protocol*.

I have considered the language changes to *Appendix C, Scope of Work* and the *Communication Protocol* and have enclosed the edited versions, as they would be accepted by the Forest Service. Please review these documents carefully, if they are acceptable to the Town of Tusayan, please have them signed and returned to the Forest Service Case Manager.

If you have any questions or need clarification about these documents, please contact Deirdre A. McLaughlin, Forest Service Case Manager, at (928) 635-5662 or damclaughlin@fs.fed.us.

I would like to remind you that when the Cost Recovery Agreement has been fully executed, a bill for the initial payment will be sent to the Town of Tusayan. The Town will have 30 days from the date on the bill for collection to make the payment. The Forest Service shall not initiate application processing until the initial estimated processing fee is paid. If the Town fails to pay the initial, or any subsequent estimated processing fee, or the fee is late, the Forest shall cease processing the application until the fee is paid.

Additionally, once the Cost Recovery Agreement is signed and the initial estimated processing fee has been paid, I will review the qualifications of any potential Prime Consultant. The Prime Consultant will be chosen solely by and serve under the direct supervision and control of the Forest Service. The Prime Consultant's work product will be considered Forest Service work product owned by the Forest Service because it will be prepared under Forest Service supervision and is intended to meet legal requirements that apply to the Forest Service. I will consider the views of the Town in choosing the Prime Consultant and manage the contract. The selection of the Prime Consultant will be based on past experience, technical competence, availability to perform work, cost factors, and an absence of conflict of interest.



I look forward to working with the Town as we proceed forward with the processing of this application. If you have any questions, please contact Deirdre A. McLaughlin, Williams/Tusayan Lands and Minerals Staff Officer, at (928) 635-5662 or damclaughlin@fs.fed.us.

Sincerely,

/s/ Michael R. Williams
MICHAEL R. WILLIAMS
Forest Supervisor

Enclosures (2)

cc: James E Simino, Liz M Schuppert

CATEGORY 6 MAJOR COST RECOVERY AGREEMENT
Between
USDA, FOREST SERVICE, Kaibab National Forest,
and Town of Tusayan, Arizona

This agreement is entered into between the UNITED STATES DEPARTMENT OF AGRICULTURE, FOREST SERVICE, Kaibab National Forest (the Forest Service), and the Town of Tusayan, Arizona (the applicant) under 36 CFR 251.58.

A. RECITALS

1. On June 5, 2014, the Forest Service accepted the applicant's application for use and occupancy of National Forest System lands (hereinafter "the application"), which is enumerated in Appendix A. The Forest Service shall assess the applicant a cost recovery fee for the agency's costs to process the application.
2. The Forest Service has determined that the fee for processing the application falls within category 6 under the applicable Forest Service processing fee schedule and/or that the fee for monitoring the applicant's special use authorization falls within category 6 under the applicable Forest Service monitoring fee schedule.
4. The geographic area to be covered by this agreement is Portions of section 13, 14, 23, 24 T30N, R2E and Sections 19, 29, 30, T30N R3E & Section 24, T30N R2E of the Gila and Salt River Meridian, approximately 52 acres. See Appendix B for a map of the area.
5. The application has been submitted or the applicant's special use authorization is being issued under an authority other than the Mineral Leasing Act, and the applicant has not waived payment of reasonable costs. Therefore, the Forest Service is entitled to recover its full reasonable costs incurred in processing the application or monitoring the authorization.
6. Payment of a processing fee by the applicant does not obligate the Forest Service to authorize the applicant's proposed use and occupancy. If the application is denied or withdrawn in writing, the applicant is responsible for costs incurred by the Forest Service in processing the application up to and including the date the agency denies the application or receives written notice of the applicant's withdrawal. If the applicant withdraws the application, the applicant also is responsible for any costs subsequently incurred by the Forest Service in terminating consideration of the application.
7. The Forest Service shall determine the appropriate level of environmental analysis for the application and inform the applicant prior to initiating the environmental analysis.
8. Information associated with this agreement may be released to the public in accordance with the provisions of the Freedom of Information Act and Privacy Act.

PART I - PROCESSING FEES

B. BASIS FOR PROCESSING FEES

Processing fees for the application are based upon the direct and indirect costs that the Forest Service incurs in reviewing the application, reviewing the environmental analyses of the effects of the proposed, use including mitigation measures; reviewing and concurring on any applicant-generated environmental documents and studies (e.g. Wildlife, Heritage, Air/Soils/Watershed/Hydrology, Range & Botany, Recreation & Visuals, Fire & Fuels, Timber & Silviculture, and Engineering); conducting site visits, conducting Tribal Consultation (tribal meetings), conducting public meetings and providing information on all public outreaches (mailings, website postings, paper-of-record publication), consulting with US Fish and Wildlife Service, evaluating the applicant's technical and financial qualifications, making a decision on whether to issue the authorization, and preparing documentation of analyses, decisions, and authorizations for the application.

The processing fee for the application shall be based only on costs that are necessary for processing the application. "Necessary for" means that but for the application, the costs would not have been incurred. The processing fee shall not include costs for studies for programmatic planning or analysis or other agency management objectives, unless they are necessary for processing the application. Proportional costs for analyses, such as capacity studies, that are necessary for the application may be included in the processing fee.

C. AGREEMENT

In consideration of the foregoing, the parties agree as follows:

1. Scope of Work. The Forest Service shall develop a scope of work for processing the application and an estimate of the agency's costs to process the application, which will be incorporated into this agreement as Appendix C. This scope of work shall report direct costs in categories that correspond to those in the agency's accounting system, e.g., job code, personnel compensation based upon the cost to the government (salary and benefits), travel, and other direct services, materials, and supplies. In addition, the estimate of the agency's processing costs shall include the agency's indirect costs based upon the approved annual indirect cost rate. Classification of costs as direct or indirect shall be in accordance with the published Forest Service budget for the applicable fiscal year.

2. Environmental Analysis. The Forest Service shall supervise the preparation of the environmental analysis associated with the application in compliance with applicable legal requirements, including public review of the analysis, analysis of public comments, and decision documentation. In exercising this responsibility, the Forest Service shall endeavor to foster cooperation among other agencies involved in the process, and to integrate National Environmental Policy Act requirements and other environmental review and consultation requirements to avoid, to the fullest extent possible, duplication of efforts by those agencies. However, the Forest Service shall not delegate to any other agency its authority over the scope and content of the environmental analysis, or approval or denial of the application.

3. Billing. The Forest Service shall bill the applicant prior to commencement of work. The applicant agrees to pay an initial estimated processing fee of \$13,963.25 and 3 subsequent quarterly estimated processing fee of \$13,963.25, for a total of \$55,853.00. The initial bill for the estimated processing fee is attached.

4. Payment. The applicant shall pay the initial estimated processing fee and any subsequent estimated processing fee within 30 days of the date the bill for the fee is issued. The Forest Service shall not initiate processing the application until the initial estimated processing fee is paid. If the applicant fails to pay the initial or any subsequent estimated processing fee or the fee is late, the Forest Service shall cease processing the application until the fee is paid.

5. Statement of Costs. The Forest Service shall annually or upon completion of the project report costs incurred for processing the application by providing a financial statement from the agency's accounting system to the applicant.

6. Underpayment. When the estimated processing fee is lower than the full actual costs of processing an application submitted under the Mineral Leasing Act, or lower than the full reasonable costs (when the applicant has not waived payment of reasonable costs) of processing an application submitted under other authorities, the applicant shall pay the difference between the estimated and full actual or reasonable processing costs within 30 days of billing.

7. Overpayment. If payment of the processing fee exceeds the full actual costs of processing an application submitted under the Mineral Leasing Act, or the full reasonable costs (when the applicant has not waived payment of reasonable costs) of processing an application submitted under other authorities, the Forest Service shall either (a) refund the excess payment to the applicant or (b) at the applicant's request, credit it towards monitoring fees due.

8. Disputes

a. If the applicant disagrees with the estimated dollar amount of the processing costs, the applicant may submit a written request before the disputed fee is due for substitution of alternative estimated costs to the immediate supervisor of the authorized officer who determined the estimated costs. The written request must include supporting documentation.

b. If the applicant pays the full disputed processing fee, the Forest Service shall continue to process the application during the supervisory officer's review of the disputed fee, unless the applicant requests that the application processing cease.

c. If the applicant fails to pay the full disputed processing fee, the Forest Service shall suspend further processing of the application pending the supervisory officer's determination of an appropriate processing fee and the applicant's payment of that fee.

d. The authorized officer's immediate supervisor shall render a decision on a disputed processing fee within 30 calendar days of receipt of the written request from the applicant. The supervisory officer's decision is the final level of administrative review. The dispute shall be decided in favor of the applicant if the supervisory officer does not respond to the written request within 30 days of receipt.

9. Lack of Administrative Appeal. A decision by an authorized officer to assess a processing fee or to determine the estimated costs is not subject to administrative appeal. A decision by an authorized officer's immediate supervisor in response to a request for substitution of alternative estimated costs likewise is not subject to administrative appeal.

10. Amendment. Modifications to this agreement shall be made in writing and shall be signed and dated by both parties.

11. Expiration and Termination. This agreement expires on June 5, 2019. Either party, in writing, may terminate this agreement in whole or in part at any time before it expires. The applicant is responsible for all Forest Service costs covered by this agreement that are incurred up to the date of expiration or termination.

12. Principal Point of Contact. The Forest Service and the applicant shall each establish a principal point of contact for purposes of this agreement.

The Forest Service's contact is Deirdre A. McLaughlin, Williams and Tusayan Ranger Districts, Lands and Minerals Staff Officer.

The applicant's contact is Will Wright, Town Manager, Town of Tusayan, Arizona.

This agreement is accepted subject to all its terms and conditions.

Town of Tusayan, Arizona
Will Wright
TOWN MANAGER, Town of Tusayan, Arizona

Date

Michael R. Williams

FOREST SUPERVISOR
Kaibab National Forest
USDA, Forest Service

Date

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082. The time required to complete this information collection is estimated to average 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

Appendices A, B, & C are attached as separate documents.

Appendix A - Applications and Authorizations Subject to this Agreement
Appendix B - Description and Map of the Geographic Area
Appendix C - Scope of Work

APPLICATION FOR TRANSPORTATION AND
UTILITY SYSTEMS AND FACILITIES
ON FEDERAL LANDS

FORM APPROVED
OMB NO. 0596-0082

FOR AGENCY USE ONLY

NOTE: Before completing and filing the application, the applicant should completely review this package and schedule a preapplication meeting with representatives of the agency responsible for processing the application. Each agency may have specific and unique requirements to be met in preparing and processing the application. Many times, with the help of the agency representative, the application can be completed at the preapplication meeting.

Application Number

Date Filed

1. Name and address of applicant (include zip code)
Town of Tusayan
PO Box 709
845 Mustang Drive
Tusayan AZ 86023

2. Name, title, and address of authorized agent
If different from item 1 (include zip code)
For the Town of Tusayan:
Will Wright, Town Manager
Town of Tusayan
PO Box 709
845 Mustang Drive
Tusayan AZ 86023

For Stilo:
Stilo Development Group USA, LP
Attn: Dawn Meldinger
c/o Fennemore Craig
2394 E. Camelback Rd., Ste. 600
Phoenix, AZ 85016

3. Telephone (area code)

Applicant

(928) 638-9909

Authorized Agent

For the Town of Tusayan:
Will Wright
(928) 638-9909

For Stilo:

Dawn Meldinger
(602) 916-5470

4. As applicant are you? (check one)

- a. ☐ Individual
- b. ☐ Corporation*
- c. ☐ Partnership/Association*
- d. ☐ State Government/State Agency
- e. ☒ Local Government
- f. ☐ Federal Agency

* If checked, complete supplemental page

5. Specify what application is for: (check one)

- a. ☒ New authorization
- b. ☐ Renewing existing authorization No.
- c. ☐ Amend existing authorization No.
- d. ☐ Assign existing authorization No.
- e. ☐ Existing use for which no authorization has been received *
- f. ☐ Other*

* If checked, provide details under item 7

6. If an individual, or partnership are you a citizen(s) of the United States? ☐ Yes ☐ No

7. Project description (describe in detail): (a) Type of system or facility, (e.g., canal, pipeline, road); (b) related structures and facilities; (c) physical specifications (Length, width, grading, etc.); (d) term of years needed; (e) time of year of use or operation; (f) Volume or amount of product to be transported; (g) duration and timing of construction; and (h) temporary work areas needed for construction (Attach additional sheets, if additional space is needed.)

(a) Type of system or facility

The use requested in this application is in support of the requirements of the *Pre-Annexation and Development Agreement (PADA) No. 2011-11-02* (Appendix A of this application) and the First Amendment to the *PADA No. 2011-11-02* (Appendix B of this application) between the Town of Tusayan (Town) and Stilo Development Group USA, LP (Stilo). The applicant proposes to make improvements to segments of existing forest roads and construct new segments to provide all weather access and utility service to two in-holding properties (TenX Ranch and Kotzin Ranch). Kotzin Ranch includes land owned by Stilo and the Town, and Ten-X is wholly owned by Stilo. The Town has agreed to act as the applicant and hold the right of way authorization sought via this application. The roadway improvements and utility construction would begin at State Route 64 (SR 64) in the Town. As depicted in Figure 1, the project area lies within the Tusayan Ranger District of the Kaibab National Forest, and the proposed corridors cross the areas listed in Table 1. TenX Ranch is identified as the Coconino County Assessor's Parcel Number (APN) 502-14-001, and Kotzin Ranch is APN 502-16-006.

Table 1. Project Location

Proposed Corridor from SR 64 to:	Sections	Township	Range
Kotzin Ranch (2 alignments)	13, 14, 23, 24	T30N	R2E
TenX Ranch (FR 302)	24	T30N	R2E
	19, 29, 30	T30N	R3E

Township and Range of the Gila and Salt River Baseline and Meridian

The locations of the requested alignments are depicted in Figure 2. Generally, access and utility service to TenX Ranch requires improvements to the existing Forest Road (FR) 302; the road and utility corridors to Kotzin Ranch would improve segments of existing FR 605M (Long Jim Loop) and FR 605 as well as construction of new road and utility corridor segments. Table 2 identifies the physical specifications of the requested corridors on a segment-by-segment basis.

Table 2. Summary of Project Description

	NON-USFS LAND				USFS LAND																		
	Route/Segment	Existing Maintenance Level	Proposed Maintenance Level	Existing Recreation Opportunity Spectrum	Length (approximate) (feet)	Length (approximate) (mile)	Width (feet)	Previously Disturbed Area (acre)	Area of New Disturbance (acre)	Total Disturbance Area (acre)	Sewer	Water Transmission	Water Distribution	Reclaimed Water	Electric	Natural Gas	Telecommunications						
TenX Ranch Access Road	FR 302	3	5	R/RN							14,880	2.82	80	12.7	14.6	27.3	X	X	X	X	X	X	
Kotzin Ranch South Access Road																							
Roundabout along FR 605M (Long Jim Loop)	FR 605M	5	5	R					0.2	0.2	0.4	203	0.04	80				X	X			X	X
	FR 605M	5	5	R	2,218	0.42	80											X	X			X	X
	FR 605M (Long Jim Loop) to USFS Boundary	NA	5	RN	35	0.01	80											X	X			X	X
	USFS Boundary to FR 605	NA	5	RN								1,081	0.20	80				X	X			X	X
	FR 605	2	5	RN					0.5	2.7	3.2	1,753	0.33	80				X	X			X	X
	FR 605 to Kotzin Ranch	NA	5	R/RN						3.3	3.3	1,811	0.34	80				X	X			X	X
	Subtotal					2,253	0.43	80	0.7	8.2	8.9	4,848	0.92	80									
Kotzin Ranch North Access Road																							
Intersection of SR 64 and Moqui Drive (FR 328)	FR 328	3	5	RN					1.9	5.5	7.5	4,070	0.77	80				X	X				
	FR 605F	2	5	RN					0.5	2.4	2.9	1,560	0.30	80				X	X				
	FR 605E	2	5	RN					0.4	2.4	2.8	1,530	0.29	80				X	X				
	From FR 605E to Kotzin Ranch	-	5	RN					0.0	1.4	1.4	770	0.15	80				X	X				
	Subtotal								2.8	11.7	14.6	7,930	1.50	80									
Related Structures and Facilities																							
Sewer corridor along FR 605	FR 605								0.1		0.1	255	0.05	25				X					
Sewer corridor along SR 64	SR 64								0.2		0.2	300	0.06	25				X					
Potable water booster pump station (approx. 100 ft X 100 ft)	FR 302								0.2		0.2							X					
Lift Station (approx. 100 ft X 100 ft)	Kotzin								0.2		0.2												
Lift Station (approx. 100 ft X 100 ft)	FR 302								0.2		0.2							X					
Reclaimed water booster pump station (approx. 100 ft X 100 ft)	FR 302								0.2		0.2								X				
Subtotal									1.2		1.2	555	0.11										
Total									17.5	34.5	52.0	28,213	5.34										
Recreation Opportunity Spectrum (ROS): R = Rural; RN = Rooded Natural																							

(b) Related structures and facilities

From the requested southern access road and utility corridor to Kotzin Ranch, an approximately 255-foot long corridor along FR 605 is necessary to accommodate a sewer line to the existing collection system facilities of the South Grand Canyon Sanitary District (SGCSD) wastewater treatment plant in the Town, as depicted in **Figure 3B**. In addition, an approximately 300-foot long sewer line corridor is necessary parallel to SR 64 from the intersection of FR 302 to the existing developed boundaries of the Town. This corridor facilitates a second tie-in to the SGCSD wastewater collection system to convey flows from TenX Ranch, and is depicted in **Figure 3A**. The two sewer line corridors are estimated to be 25 feet wide; the specific width and location will be dependent on the capacity, location and depth of the existing wastewater collection facilities. The sewer line corridors would consist of temporary ground disturbance for construction, with the exception of manhole covers that would remain at grade.

A wastewater lift station is anticipated to convey wastewater flows to the SGCSD wastewater treatment plant from TenX Ranch. The lift station would be located adjacent to the access and utility corridor along FR 302. Two booster pump stations, one for reclaimed water and one for potable water, would be located approximately 0.3 mile east of SR 64, adjacent to FR 302. Each station would each be approximately 0.2 acre in size, or 100 feet by 100 feet, and would be located adjacent to the access and utility corridor along FR 302. The approximate locations of these stations are depicted in **Figure 3A**.

A wastewater lift station is anticipated on the southern access road and utility corridor to Kotzin Ranch to convey wastewater flows to the SGCSD wastewater treatment plant from Kotzin Ranch. The lift station would be located adjacent to the access and utility corridor at the Kotzin Ranch property line. The lift station would be approximately 0.2 acres in size or 100 feet by 100 feet. The approximate location is shown on **Figure 3B**.

The specifications of these improvements will be further determined as the environmental review and engineering design proceed. Utilities would be installed per the applicable local standards. As part of the environmental review and engineering design, existing permitted utility easements would be identified and the proposed utility corridors designed to avoid conflicts.

(c) Physical specifications

The project proposes to improve and construct maintenance level 5 roadway access to the two in-holdings. As defined in Forest Service Handbook (FSH) 7709.58, 12.3), maintenance level 5 is assigned to roads that provide a high degree of user comfort and convenience; these roads are normally double-lane, paved facilities. The roadway and utility improvements are needed to accommodate the Town approved land use plans as defined in the PADA Exhibit B1 *Kotzin Ranch Land Use Plan and Data Table* and Exhibit B2 *TenX Ranch Land Use Plan and Data Table*.

In total, approximately 28,213 linear feet of roadway access and utility corridor (including approximately 255 linear feet of sewer line without roadway access) are requested. The total area of disturbance on USFS land is estimated to be approximately 52.0 acres, of which 17.5 acres (34 percent) has been previously disturbed.

Table 2 lists each corridor segment, existing and proposed maintenance levels, the existing recreation opportunity spectrum (ROS), the length of the segment (in feet and miles), the area disturbance (including estimates of new and previously disturbed areas), and the utility lines proposed for each segment.

Figure 4 depicts the cross section of the proposed corridor, conforms to the requirements specified by the PADA and meets applicable local standards. The corridor would accommodate two, paved travel lanes (14 feet wide each), resulting in 28 feet of surfaced roadway, with aggregate shoulders (2 feet wide each) and a 14-foot-wide border area/utility corridor adjacent to each shoulder. The corridor would also accommodate an 8-foot-wide bike/pedestrian path on either side of the paved surface. An additional 4 feet would allow for adjustments to grade. In total, an 80-foot-wide corridor is requested to provide all weather access and utility service to the two privately owned in-holding parcels. Note that the dimensions specified above and in **Figure 4**, which comprise the overall 80-foot-wide corridor, represent a typical cross section; the engineering design may vary in locations to accommodate topographic and other site-specific constraints.

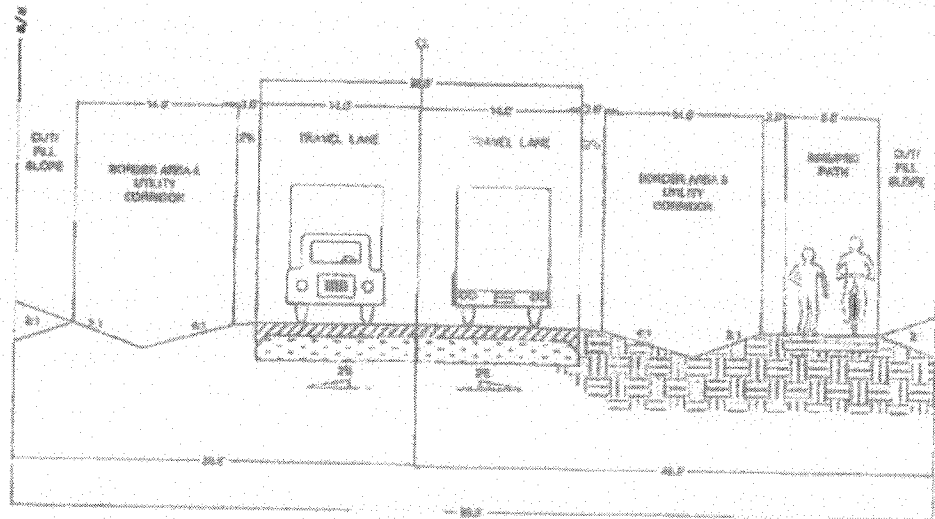


Figure 4: Access roadway and utility corridor typical section

Corridor to TenX Ranch

FR 302 would be improved from SR 64 for approximately 2.8 miles, or 14,880 feet, to TenX Ranch. Utilities to be provided within the two, 14-foot-wide border area and utility corridors include a potable water distribution main, a reclaimed water transmission main, a sewer main, a natural gas pipeline, electric, and telecommunications (internet, cable television, telephone, etc.).

Corridor to Kotzin Ranch

Southern Access

The southern access roadway and utility corridor would be 1.4 miles (7,100 feet) long and would traverse lands within the Kaibab National Forest (approximately 0.9 miles; 4,850 feet), connecting the existing SR 64 roundabout at Long Jim Loop to Kotzin Ranch, including the segments listed below. The utilities proposed within the two, 14-foot-wide border area and utility corridors vary slightly by segment, but generally include water transmission and distribution mains, a reclaimed water main, and a sewer main. Dry utilities in the corridor also vary by segment, but generally include a natural gas pipeline, electric lines, and telecommunications. Details of the utility lines included in each segment are listed herein and in Table 2.

- The existing FR 605M (Long Jim Loop) would be improved from the SR 64 roundabout west approximately 2,460 feet to the forest boundary. Of the 2,460 feet, approximately 200 feet are on USFS lands and approximately 2,260 feet are on private land road easements administered by the USFS.
 - Utilities proposed in this segment include water transmission and distribution mains, a reclaimed water main, a natural gas pipeline, and telecommunications.
- From the forest boundary, a new roadway and utility corridor would be constructed for approximately 1,080 feet west to the intersection with FR 605, which accommodates the existing Arizona Public Service (APS) easement.
 - Utilities proposed in this segment include water transmission and distribution mains, a reclaimed water main, a natural gas pipeline, and telecommunications.
- The existing FR 605 would be improved for approximately 1,750 feet to the west.
 - Utilities proposed in this segment include water transmission and distribution mains, a reclaimed water main, a sewer force main, a natural gas pipeline, and telecommunications.
 - The sewer main from Kotzin Ranch would leave the utility corridor near the southern boundary of the SGCSO facilities and continue northeast in a corridor for approximately 255 feet to the existing wastewater collection facilities of the SGCSO.
- From FR 605 to Kotzin Ranch, a new roadway would be constructed in a generally northwesterly direction for approximately 1,810 feet to Kotzin Ranch.
 - Utilities proposed in this segment include water transmission and distribution mains, a reclaimed water main, sewer force main, electric lines, a natural gas pipeline, and telecommunications.
 - Electric lines would be in this segment of the corridor, connecting to the existing APS power lines that parallel FR 605.

Northern Access

The northern access roadway and utility corridor would traverse lands within the Kaibab National Forest for approximately 7,930 feet, or 1.5 miles, from the intersection of SR 64 and Moqui Drive (FR 328) west to Kotzin Ranch, including the segments listed below. The utilities within the two, 14-foot-wide border area and utility corridors would include a potable water main and a reclaimed water main. Dry utilities are not anticipated in this corridor.

- FR 328 would be improved approximately 4,070 feet from SR 64 west to FR 605F.
- FR 605F would be improved approximately 1,560 feet west from FR 328 to the intersection with FR 605E.
- FR 605E would be improved for approximately 1,530 west.

A new roadway and utility corridor would be constructed west approximately 770 feet to Kotzin Ranch.

(d) Term of years needed

All weather access and utility service is requested in perpetuity. Pursuant to the PADA, construction and maintenance funding for the roadway and utilities is the responsibility of Stilo, however, if not completed in a timely manner the Town may fund and construct. Per the PADA, the roads would be maintained to the standards of the Forest Service, which are defined in the *Guidelines for Road Maintenance Levels (2005)*. The utilities would be maintained to the standards of the local utility providers.

(e) Time of year of use or operation

All weather access and utility service is requested yearlong.

(f) Volume or amount of product to be transported

The volume of traffic and sizes of utilities are undetermined at this time. Details, to the extent available, will be provided as the environmental review and engineering design proceed. The two-lane roadways are proposed as presented in the PADA (page 4 and Exhibits C1 and C2). Preliminary engineering indicates two-lane roadways would adequately accommodate anticipated traffic.

Utility infrastructure for the private parcels that will be served by these roadways across Forest Service lands will be sized based on the anticipated build out of the private parcels. The utility corridors within the roadway section are of sufficient size to support all of the utility infrastructure contemplated for the private parcels at build out.

(g) Duration and timing of construction

Construction would be anticipated to be complete within an approximate 36-month period, considering the potential for inclement weather.

(h) Temporary work areas needed for construction

No temporary work areas for construction would be needed within the Kaibab National Forest. All temporary construction areas will be on private lands.

8. Attach a map covering area and show location of project proposal

9. State or Local government approval: ☒ Attached ☐ Applied for ☐ Not Required

10. Nonreturnable application fee: ☒ Attached ☐ Not required

11. Does project cross international boundary or affect international waterways? ☐ Yes ☒ No (If "yes," indicate on map)

12. Give statement of your technical and financial capability to construct, operate, maintain, and terminate system for which authorization is being requested.

The applicant is technically and financially capable of completing the project described in this application. The contractor must be duly licensed, bonded and insured, and would be selected based on a review of bids submitted in response to a solicitation/design package. Criteria to be considered may include factors such as: project understanding, relevant management and technical experience, staff qualifications, capacity to conduct the work, proposed work plan, past performance on similar work and record of completion, quality plan, cost, and health, safety, and environmental record.

Pursuant to the PADA, Stilo will fund construction and maintenance of the road and utilities, however if the project is not completed in a timely manner, the Town may fund construction and maintenance. The ability to fund will be demonstrated based upon the Kaibab National Forest requirements for substantiating (i.e., financial records, list of completed projects, etc.). The applicant would agree to completion and maintenance bonding, as appropriate. Bonding would be utilized as a form of surety, in addition to other protective stipulations and contractual remedies in the road maintenance agreement. Guidance is needed from Kaibab National Forest regarding bonding requirement and/or calculation methodology for determining the appropriate amount.

The proposed corridors would be open to the public for travel.

The properties are inholdings, completely surrounded by federal lands administered by the Kaibab National Forest, with no private lands abutting either property. As such, any access to the properties would require use of forest lands. The Forest land alternatives considered are shown in the PADA, Exhibits D1 and D2.

Alternative alignments for the southern roadway access and utility corridor to Kotzin Ranch may be feasible and will be considered during the environmental review and engineering design process. No other alternatives were considered for the roadway access and utility corridor to TenX Ranch or for the northern corridor to Kotzin Ranch due to the presence of existing forest roads, thus minimizing surface disturbance.

b. Why were these alternatives not selected?

Alternative alignments for the southern roadway access and utility corridor to Kotzin Ranch will be considered during the environmental review and engineering design process.

c. Give explanation as to why it is necessary to cross Federal Lands.

Kotzin Ranch and TenX Ranch are in-holdings in the Kaibab National Forest. Both properties are accessible via existing forest roads, however, these roads are subject to closure at the discretion of the District Ranger during wet weather periods. Improved, all-weather access is necessary to ascertain reasonable use and enjoyment of these privately held lands. Per the PADA, both properties would be developed for commercial and residential, year around use requiring all weather access.

14. List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency. (Specify number, date, code, or name)

No other authorizations or applications are known to be pending for similar, linear projects in the vicinity. Table 3 lists projects within the Tusayan Ranger District of the Kaibab National Forest identified on the Forest Service Schedule of Proposed Actions (SOPA).

Of the projects listed, only the Tusayan Flood Control Project Environmental Assessment (EA) is located in the immediate vicinity of the proposed roadway and utility corridor. The applicant will coordinate with the Forest Service to ensure the flood control project and the proposed roadway and utility corridor project are compatible.

Table 3. Tusayan Ranger District Schedule of Proposed Actions

Project Name	Project Purpose	Location	Expected Implementation
GC Hub Wireless Communications Site Development CE	Construct a communications facility to serve the Grand Canyon area	Tusayan Ranger District; Township 29 North, Range 4 East, NW ¼, SW ¼ of Section 7.	On hold
Four-Forest Restoration Initiative EIS: Kaibab and Coconino EIS	Road, fuels, watershed, and vegetation management (other than forest products) and forest products	Coconino National Forest All Units, Williams Ranger District, Tusayan Ranger District, including ponderosa pine habitat on the Kaibab and Coconino National Forests	12/2014
Rock Pit Development: Coconino and Kaibab National Forests EA	Road management	Coconino National Forest All Units, Williams Ranger District, Tusayan Ranger District	04/2014
Kaibab National Forest Plan Revision EIS	Land management planning	Kaibab National Forest All Units	02/2014
Watts Vegetation Management Project CE	Land management planning	Tusayan Ranger District; Township 29 North, Range 5 East, Sections 1, 2, 3, 11, and 12; Township 30 North, Range 5 East, Sections 26, 27, 34, 35, and 36.	05/2014
VANE Minerals Uranium Exploratory Drilling Project EIS	Minerals and Geology	Tusayan Ranger District; Townships 27, 28, and 29 North; and Ranges 2, 3, and 4 East	On hold
Tusayan Flood Control Project EA	Watershed management	Tusayan Ranger District; Township 30 North, Range 2 East, Sections 19, 24, and 30, just east of the Town of Tusayan	01/2014

15. Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits.

Statement of need for project, including the economic feasibility

The need for this project is to improve access to facilitate reasonable use and enjoyment of the in-holding properties in a safe and adequate manner. All-weather access is required to the Kotzin Ranch and TenX Ranch in-holdings in accordance with the PADA. Both properties will be developed for commercial and residential use requiring higher level of services for

vehicle access as well as accommodation for the required utilities.

The project is economically feasible and would be privately funded.

(a) Cost of proposal (construction, operation, and maintenance)

Preliminary construction costs were provided in the Kotzin Ranch Applicant's Narrative Report, Planned Community District Zoning Submittal, Approved November 2, 2011, Exhibit 5, Primary Infrastructure (see Appendix B of this application) and TenX Ranch Applicant's Narrative Report, Planned Community District Zoning Submittal, Approved November 2, 2011, Exhibit 5, Primary Infrastructure (see Appendix C of this application). Revised cost estimates will be provided as the environmental review and engineering design proceed.

(b) Estimated cost of next best alternative

Cost estimates for reasonable alternatives will be provided as the environmental review and engineering design proceed.

(c) Expected public benefits

Expected public benefits include improved access to the in-holdings and the surrounding lands of the Kaibab National Forest. The planned land use for the properties is defined in the PADA, Exhibit B1 Kotzin Ranch Land Use Plan and Data Table and Exhibit B2 TenX Ranch Land Use Plan and Data Table.

16. Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles.

The in-holdings are surrounded by public lands administered by the Kaibab National Forest and have no form of access except across public land. While the proposed access roadways and utility corridors across lands administered by the Kaibab National Forest would not directly result in population growth, the population growth anticipated by the allowed zoning of the in-holdings is a reasonably foreseeable future action that would be considered during the environmental review of this application.

The proposed roadway access and utility corridors would also improve access to lands administered by the Kaibab National Forest with the potential for some increase in utilization of localized areas for recreational purposes. Impacts to rural lifestyles are expected to be localized and minimal in the context of the role of the local community as a gateway to the Grand Canyon National Park. The applicant will work to identify and minimize potential resource conflicts with rural lifestyles with safety in mind.

17. Describe likely environmental effects that the proposed project will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water; (e) existing noise levels; and (f) the surface of the land, including vegetation, permafrost, soil, and soil stability.

The applicant concurs that the environmental effects will be analyzed as part of the National Environmental Policy Act process.

(a) Air quality

The proposed project would pave existing gravel and dirt roads within the Tusayan Ranger District, which would reduce sources of fugitive dust in dry weather. There is substantial use of the existing roadways for dispersed camping and an immediate reduction of fugitive dust emissions from this user-group is anticipated with paving of these existing roadways. Additional traffic would be expected to traverse the improved roads, which may increase vehicle emissions.

(b) Visual impact

Removal of existing vegetation would be minimized to the extent practical; indigenous plants and trees and/or low-water use plants would be used to revegetate areas of temporary disturbance and in landscaped areas.

(c) Surface and ground water quality and quantity

The existing roads are unpaved and therefore subject to erosion during storm events, contributing to sediment generation and transport. The proposed project would pave access roadways, reducing the potential for erosion and sedimentation. Increased runoff generation and the potential for water quality impacts from the impervious roadway surfaces would be managed through engineering controls. Impacts to groundwater would not be anticipated from the roadway access and utility corridors.

(d) The control or structural change on any stream or other body of water

The existing FR 302 crosses a tributary to Coconino Wash approximately one half mile east of SR 64. The existing culvert may need to be extended laterally to accommodate the wider roadway. Additional culvert crossings may also be required to accommodate existing drainages and swales. Stormwater conveyance would be maintained, and no control or structural change of any stream or other body of water is anticipated.

Existing noise on forest roads serving Kotzin Ranch results from occasional vehicles passing through to access lands within the Kaibab National Forest for recreational uses. Existing noise on FR 302 near TenX Ranch also occurs from vehicles accessing lands within the Kaibab National Forest for commercial and non-commercial recreational use; jeep tour operators use FR 302 routinely to access Grandview. FR 302 has a higher operational maintenance level and continues through the Kaibab National Forest, ultimately providing access to Flagstaff. As such, the road has greater existing vehicle volumes than the roads at Kotzin Ranch, with resulting higher noise levels. The proposed roadway and utility corridor may increase noise levels; however, limited receptors exist in the project area. The effects will be analyzed during the environmental review.

(f) The surface of the land, including vegetation, permafrost, soil, and soil stability

Where possible, new disturbance areas are proposed adjacent to existing roadways or other areas of prior disturbance. Impacts to the soil, vegetation, and soil stability would be minimized through the implementation of best management practices, engineering controls, and revegetation as appropriate. Impacts will be analyzed in detail during the environmental review. No impacts to permafrost would occur.

18. Describe the probable effects that the proposed project will have on (a) populations of fish, plantlife, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals.

(a) Populations of fish, plantlife, wildlife, and marine life, including threatened and endangered species

Direct and indirect effects to plants and wildlife may occur, including lost or degraded habitat and increased vehicle/animal encounters and collisions. A complete analysis of the potential for effects to biological resources will be conducted during the environmental review.

(b) Marine mammals, including hunting, capturing, collecting, or killing these animals

The proposed project would not affect marine animals.

19. State whether any hazardous material, as defined in this paragraph, will be used, produced, transported or stored on or within the right-of-way or any of the right-of-way facilities, or used in the construction, operation, maintenance or termination of the right-of-way or any of its facilities. "Hazardous material" means any substance, pollutant or contaminant that is listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq., and its regulations. The definition of hazardous substances under CERCLA includes any "hazardous waste" as defined in the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C. 6901 et seq., and its regulations. The term hazardous materials also includes any nuclear or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq. The term does not include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under CERCLA Section 101(14), 42 U.S.C. 9601(14), nor does the term include natural gas.

Hazardous materials would not be produced or stored within the proposed corridor or related facilities. While not anticipated, hazardous materials that may be used during construction or transported by others would be in accordance with the Hazardous Materials Transportation Act and other applicable regulations.

20. Name all the Department(s)/Agency(ies) where this application is being filed.

US Department of Agriculture, Forest Service – Kaibab National Forest, Tusayan Ranger District

I HEREBY CERTIFY, That I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and believe that the information submitted is correct to the best of my knowledge.

Signature of Applicant

Date

Title 18, U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

**GENERAL INFORMATION
ALASKA NATIONAL INTEREST LANDS**

This application will be used when applying for a right-of-way, permit, license, lease, or certificate for the use of Federal lands which lie within conservation system units and National Recreation or Conservation Areas as defined in the Alaska National Interest Lands Conservation Act. Conservation system units include the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, and National Forest Monuments.

Transportation and utility systems and facility uses for which the application may be used are:

1. Canals, ditches, flumes, laterals, pipes, pipelines, tunnels, and other systems for the transportation of water.
2. Pipelines and other systems for the transportation of liquids other than water, including oil, natural gas, synthetic liquid and gaseous fuels, and any refined product produced therefrom.
3. Pipelines, slurry and emulsion systems, and conveyor belts for transportation of solid materials.
4. Systems for the transmission and distribution of electric energy.
5. Systems for transmission or reception of radio, television, telephone, telegraph, and other electronic signals, and other means of communications.
6. Improved right-of-way for snow machines, air cushion vehicles, and all-terrain vehicles.
7. Roads, highways, railroads, tunnels, tramways, airports, landing strips, docks, and other systems of general transportation.

This application must be filed simultaneously with each Federal department or agency requiring authorization to establish and operate your proposal.

In Alaska, the following agencies will help the applicant file an application and identify the other agencies the applicant should contact and possibly file with:

Department of Agriculture
Regional Forester, Forest Service (USFS)
Federal Office Building,
P.O. Box 21628
Juneau, Alaska 99802-1628
Telephone: (907) 586-7847 (or a local Forest Service Office)

Department of the Interior
Bureau of Indian Affairs (BIA)
Juneau Area Office
Federal Building Annex
9108 Mendenhall Mall Road, Suite 5
Juneau, Alaska 99802
Telephone: (907) 586-7177

Department of the Interior
Bureau of Land Management
222 West 7th Avenue
P.O. Box 13
Anchorage, Alaska 99513-7599
Telephone: (907) 271-5477 (or a local BLM Office)

U.S. Fish & Wildlife Service (FWS) Office of the Regional Director 1011 East Tudor Road Anchorage, Alaska 99503 Telephone: (907) 786-3440	National Park Service (NPA) Alaska Regional Office, 2225 Gambell St., Rm. 107 Anchorage, Alaska 99502-2892 Telephone: (907) 786-3440
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Note - Filings with any Interior agency may be filed with any office noted above or with the Office of the Secretary of the Interior, Regional Environmental Office, P.O. Box 120, 1675 C Street, Anchorage, Alaska 9513.

Department of Transportation
Federal Aviation Administration
Alaska Region AAL-4, 222 West 7th Ave., Box 14
Anchorage, Alaska 99513-7587
Telephone: (907) 271-5285

NOTE - The Department of Transportation has established the above central filing point for agencies within that Department. Affected agencies are: Federal Aviation Administration (FAA), Coast Guard (USCG), Federal Highway Administration (FHWA), Federal Railroad Administration (FRA).

OTHER THAN ALASKA NATIONAL INTEREST LANDS

Use of this form is not limited to National Interest Conservation Lands of Alaska.

Individual department/agencies may authorize the use of this form by applicants for transportation and utility systems and facilities on other Federal lands outside those areas described above.

For proposals located outside of Alaska, applications will be filed at the local agency office or at a location specified by the responsible Federal agency.

SPECIFIC INSTRUCTIONS

(Items not listed are self-explanatory)

- 7 Attach preliminary site and facility construction plans. The responsible agency will provide instructions whenever specific plans are required.
- 8 Generally, the map must show the section(s), township(s), and range(s) within which the project is to be located. Show the proposed location of the project on the map as accurately as possible. Some agencies require detailed survey maps. The responsible agency will provide additional instructions.
- 9, 10, and 12 The responsible agency will provide additional instructions.
- 13 Providing information on alternate routes and modes in as much detail as possible, discussing why certain routes or modes were rejected and why it is necessary to cross Federal lands will assist the agency(ies) in processing your application and reaching a final decision. Include only reasonable alternate routes and modes as related to current technology and economics.
- 14 The responsible agency will provide instructions.
- 15 Generally, a simple statement of the purpose of the proposal will be sufficient. However, major proposals located in critical or sensitive areas may require a full analysis with additional specific information. The responsible agency will provide additional instructions.
- 16 through 19 Providing this information in as much detail as possible will assist the Federal agency(ies) in processing the application and reaching a decision. When completing these items, you should use a sound judgment in furnishing relevant information. For example, if the project is not near a stream or other body of water, do not address this subject. The responsible agency will provide additional instructions.

Application must be signed by the applicant or applicant's authorized representative.

EFFECT OF NOT PROVIDING INFORMATION: Disclosure of the information is voluntary. If all the information is not provided, the application may be rejected.

DATA COLLECTION STATEMENT

The Federal agencies collect this information from applicants requesting right-of-way, permit, license, lease, or certification for the use of Federal lands. The Federal agencies use this information to evaluate the applicant's proposal. The public is obligated to submit this form if they wish to obtain permission to use Federal lands.

SUPPLEMENTAL

NOTE: The responsible agency(ies) will provide instructions		CHECK APPROPRIATE BLOCK	
		ATTACHED	FILED*
I - PRIVATE CORPORATIONS			
a. Articles of Incorporation		<input type="checkbox"/>	<input type="checkbox"/>
b. Corporation Bylaws		<input type="checkbox"/>	<input type="checkbox"/>
c. A certification from the State showing the corporation is in good standing and is entitled to operate within the State		<input type="checkbox"/>	<input type="checkbox"/>
d. Copy of resolution authorizing filing		<input type="checkbox"/>	<input type="checkbox"/>
e. The name and address of each shareholder owning 3 percent or more of the shares, together with the number and percentage of any class of voting shares of the entity which such shareholder is authorized to vote and the name and address of each affiliate of the entity together with, in the case of an affiliate controlled by the entity, the number of shares and the percentage of any class of voting stock of that affiliate owned, directly or indirectly, by that entity, and in the case of an affiliate which controls that entity, the number of shares and the percentage of any class of voting stock of that entity owned, directly or indirectly, by the affiliate.		<input type="checkbox"/>	<input type="checkbox"/>
f. If application is for an oil or gas pipeline, describe any related right-of-way or temporary use permit applications, and identify previous applications.		<input type="checkbox"/>	<input type="checkbox"/>
g. If application is for an oil and gas pipeline, identify all Federal lands by agency impacted by proposal.		<input type="checkbox"/>	<input type="checkbox"/>
II - PUBLIC CORPORATIONS			
a. Copy of law forming corporation		<input type="checkbox"/>	<input type="checkbox"/>
b. Proof of organization		<input type="checkbox"/>	<input type="checkbox"/>
c. Copy of Bylaws		<input type="checkbox"/>	<input type="checkbox"/>
d. Copy of resolution authorizing filing		<input type="checkbox"/>	<input type="checkbox"/>
e. If application is for an oil or gas pipeline, provide information required by item "I-f" and "I-g" above.		<input type="checkbox"/>	<input type="checkbox"/>
III - PARTNERSHIP OR OTHER UNINCORPORATED ENTITY			
a. Articles of association, if any		<input type="checkbox"/>	<input type="checkbox"/>
b. If one partner is authorized to sign, resolution authorizing action is		<input type="checkbox"/>	<input type="checkbox"/>
c. Name and address of each participant, partner, association, or other		<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. If application is for an oil or gas pipeline, provide information required by item "I-f" and "I-g" above.		<input type="checkbox"/>	<input type="checkbox"/>

* If the required information is already filed with the agency processing this application and is current, check block entitled "Filed." Provide the file identification information (e.g., number, date, code, name). If not on file or current, attach the requested information.

III(c): Name and address of each participant, partner, association, or other:

NOTICES

Note: This applies to the Department of Agriculture/Forest Service (FS)

This information is needed by the Forest Service to evaluate the requests to use National Forest System lands and manage those lands to protect natural resources, administer the use, and ensure public health and safety. This information is required to obtain or retain a benefit. The authority for that requirement is provided by the Organic Act of 1897 and the Federal Land Policy and Management Act of 1976, which authorize the secretary of Agriculture to promulgate rules and regulations for authorizing and managing National Forest System lands. These statutes, along with the Term Permit Act, National Forest Ski Area Permit Act, Granger-Thye Act, Mineral Leasing Act, Alaska Term Permit Act, Act of September 3, 1954, Wilderness Act, National Forest Roads and Trails Act, Act of November 16, 1973, Archeological Resources Protection Act, and Alaska National Interest Lands Conservation Act, authorize the Secretary of Agriculture to issue authorizations or the use and occupancy of National Forest System lands. The Secretary of Agriculture's regulations at 36 CFR Part 251, Subpart B, establish procedures for issuing those authorizations.

BURDEN AND NONDISCRIMINATION STATEMENTS

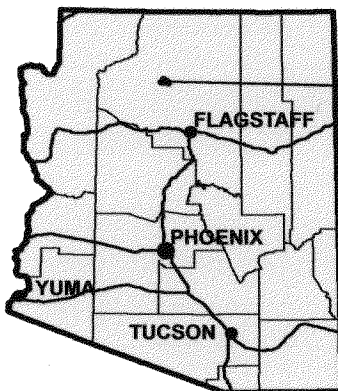
According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082. The time required to complete this information collection is estimated to average 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

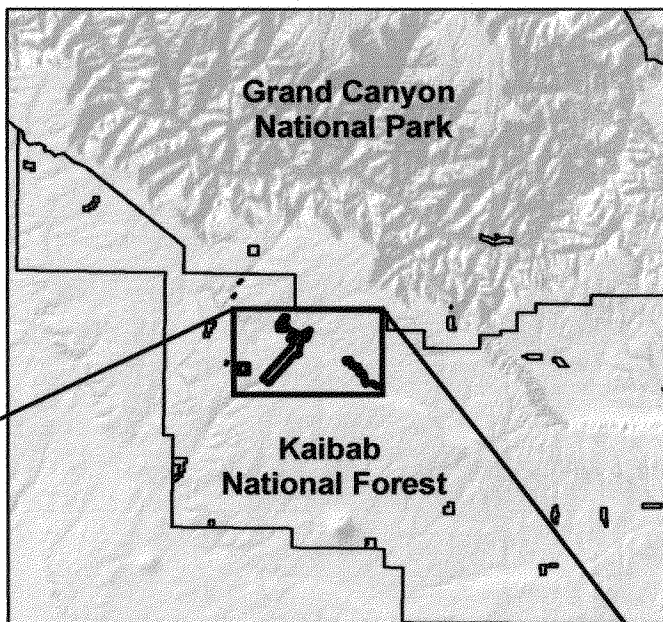
To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice) USDA is an equal opportunity provider and employer.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

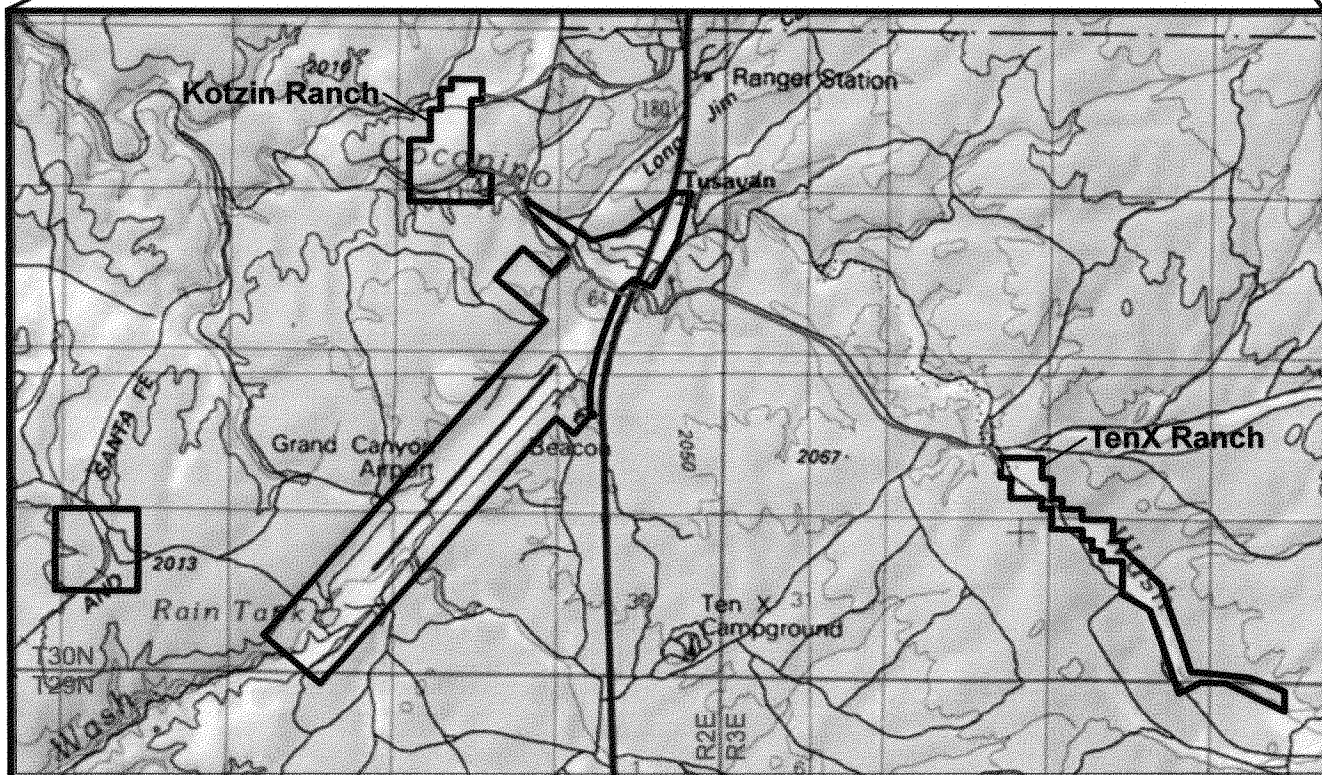
ARIZONA



PROJECT
LOCATION

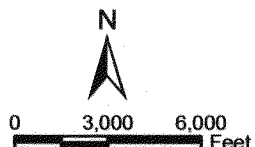


Approximate Scale 1 Inch = 10 Miles



T30N, R2E, Portion of Sections 13, 14, 23, 24,
T30N, R3E, Portion of Sections 19, 29, 30,
Coconino County, Arizona,
Tusayan East & Tusayan West USGS 7.5' Quadrangles

Town of Tusayan
the entrance to Grand Canyon National Park



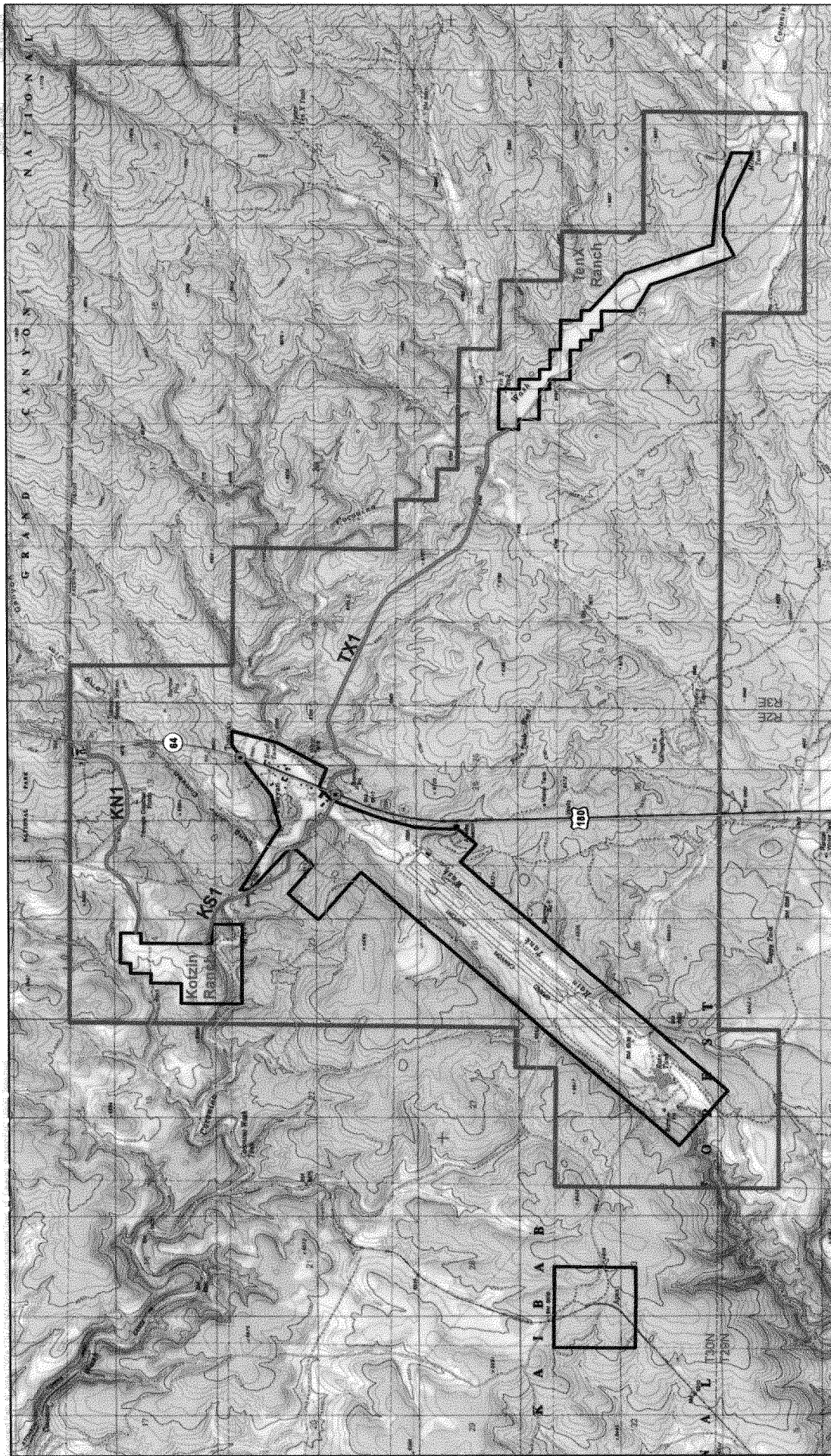
Legend

- Project Area
- Private Land

TUSAYAN

Proposed Corridor Project

VICINITY MAP
Figure 1



Tusayan Proposed Corridor Project USGS TOPOGRAPHY Figure 2

- Legend**
- Town of Tusayan
 - Private Land
 - Proposed Roadway Access and Utility Corridor
 - Motorized Vehicle Use Map (MVUM) Roads
 - Railroad
 - Roundabout



Town of Tusayan
See entrance to Grand Canyon National Park



Town of Tusayan
 The entrance to Grand Canyon National Park

Legend

- Town of Tusayan
- Private Land
- Proposed Roadway Access and Utility Corridor
- Proposed Sewer Line
- Motorized Vehicle Use Map (MVUM) Roads
- Drainage
- Roundabout

Tusayan
 Proposed Corridor Project
 Figure 3A

- Proposed Potable Water Booster Pump Station
- Proposed Lift Station
- Proposed Reclaimed Water Booster Pump Station

Scale

0 1,000 2,000 Feet

North Arrow

N



Town of Tusayan
the entrance to Grand Canyon National Park

Tusayan
Proposed Corridor Project
Figure 3B

Legend

- Town of Tusayan
- Private Land
- Proposed Roadway Access and Utility Corridor
- Motorized Vehicle Use Map (MVUM) Roads
- Drainage
- Proposed Sewer Line
- Roundabout
- Proposed Potable Water Booster Pump Station
- Proposed Lift Station
- Proposed Reclaimed Water Booster Pump Station

N

0 1,000 2,000 Feet

Appendix C **Scope of Work**

This scope of work is based on the assumption that an environmental assessment will be prepared for this project. The environmental assessment will be attached as an appendix to this scope of work. If the Forest Service determines, based on scoping or subsequent analysis, that an environmental impact statement is required, it will be attached to this scope of work as an appendix. The Forest Service reserves the right to make any revisions to this scope of work based on any changes in estimated Agency processing or monitoring costs.

I. PROCESSING TIMELINE

TASK	APROX START DATE	ESTIMATED TIME REQUIRED	RESPONSIBLE PARTY
Review Application	06/05/14	45 days	Forest Service (FS)
Cost Recovery Agreement & selection of 3 rd Party Contractor	12/31/14	15 days	FS, Applicant
Public Notification - newspapers - scoping letters	1/30/15	30 days	FS, Applicant
Scoping Meetings - agency		1 day	FS, Applicant
- public	1/30/15	1 day each	FS, Applicant
Alternative Development (driven by public comments)	2/28/15	as required	FS, Applicant
Field Review and Specialist's Reports	3/31/15	45 days	FS, Applicant, 3 rd party contractor
Preparation of the EA	2/28/15	45 days	3 rd Party Contractor
Internal Review EA	3/30/15	30 days	FS
Public Notice & Comment	4/30/15	30 days	Public
Issue Draft Decision Notice	5/30/15	5 days	FS
Objection Period	8/17/15	45 - 75 days	Public
<u>If Approved</u>			
Issue Authorization & Monitoring Cost Recovery	9/15/15	30 days	FS
Pre-Construction Meeting	TBA	1 day	FS
Start Construction & Compliance Inspections	TBA	As required	FS

Appendix C **Scope of Work**

Information to be Supplied by Applicants

Technical drawings; plans for construction, operation and maintenance; survey drawings; and other information specifically related to the proposed project

Consultant Statement of Work

Specify the studies/documents that the Forest Service is requiring. This information is necessary to clearly identify the statement of work to be performed by the applicant/consultant.

Centerline survey
Biological Assessment and Evaluation for ESA (plant, animal, aquatic) for consultation with USFWS
Cultural Resource Survey
Water & Soil Evaluations
Plan of Development and Best Management Practices

Coordination with Other Agencies

USDA Forest Service will coordinate this proposed project with at least the following other agencies:

US Fish and Wildlife Service	Local Native American Tribes
State Department of Fish and Game	Environmental Groups
State Historic Preservation Department	Grand Canyon Unified School District
NPS-Grand Canyon National Park	

Agency Statement of Work

Review Application, Plan of Development, Best Management Practices
Review technical reports/surveys provided by Applicant/Consultant
Meet with Applicant/Consultant and/or subcontractors
Write Decision Document
Prepare Authorization if Use Approved

Environmental Analysis

(See section III. Third Party NEPA)

Appendix C
Scope of Work

II. FINANCIAL PLAN

(Agency cost for processing Application)

Estimate for Fiscal Year(s) 2014 & 2015

PROCESSING

Personnel Needed for Processing	Estimated Processing Hours	Estimated Labor Costs
Permit Administrator/Case Manager	240	\$9,907.20
Hydrologist	120	\$10,515.60
Wildlife Biologist	120	\$15,399.20
Other Specialist	24	\$4,644.80
Tribal Liaison for Navajo Tribe	40	\$1,531.20
Tribal Liaison for all tribes	120	\$5,580.00
Range	24	\$897.12
Fire/Fuels	24	\$722.16
Recreation	24	\$1,145.76
NEPA Coordinator (Forest)	64	\$3,226.24
Other Specialist	16	\$561.92
Engineer	24	\$1,163.04
Timber/Silviculture	24	\$722.16
NEPA coordinator (district)	120	\$4,935.60
Forest Archeologist	160	\$8,288.00
TOTAL		TOTAL
HOURS	<u>1,144</u>	LABOR
		<u>\$49,515.68</u>

Travel: Estimated Tribal Trips <u>1</u> @ <u>\$500.00</u> per trip	\$ <u>500.00</u>
Vehicle mileage: Estimating 200 miles per month at \$0.40/mile	<u>\$1,000.00</u>
Misc. Supplies (copies and postage)	\$ <u>300.00</u>
Printing/Publication	\$ <u>400.00</u>

Total Operating Costs **\$2,200.00**

Calculation

Total Labor Costs \$49,515.68

Total Operating Costs \$ 2,200.00

\$51,715.68

Total Direct (Labor and Operating) Costs

Indirect Cost Rate 8% (as given in SUDS) (Determined by ASC) \$ 4,137.25
(Based on current National Overhead Rate published in the Annual Program Direction)

PROCESSING GRAND TOTAL \$55,852.93 rounded to **\$55,853.00**

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Scope of Work

III. Applicant/Third Party Contract/Agency Responsibilities

A. PURPOSE

The purpose of this Scope of Work is to articulate the working arrangement whereby a third-party contractor (Prime Consultant) will be chosen by the Forest Service, in consultation with the Applicant, to prepare an environmental analysis to analyze the –application for special use authorization for the Proposed Roadway Easements from the Town of Tusayan, AZ submitted to the Forest Service by the Applicant to provide access to private in-holdings parcels on the Tusayan Ranger District of the Kaibab.

B. STATEMENT OF MUTUAL INTERESTS AND BENEFITS.

The Forest Service has discretion to accept and approve the Applicant's proposal, and as part of this approval process must comply with the National Environmental Policy Act of 1969 (NEPA), the National Forest Management Act of 1976, the Forest Service special-use permit regulations in 36 C.F.R. 251, and other applicable statutes, regulations, Executive orders, and the Forest Service Manual and Handbook direction (collectively, the applicable legal requirements) before any action can proceed.

Based upon the project description and other information provided by the Applicant, and an initial assessment of the Project, the Forest Service has determined that ☒ an Environmental Assessment (EA) must be prepared to determine whether an Environmental Impact Statement (EIS) is required or a Finding of No Significant Impact is required, or ☐ an Environmental Impact Statement must be prepared. The NEPA documents will be prepared by a contractor in a manner consistent with the applicable legal requirements.

The parties agree that the analysis will be given a high priority, will be initiated and completed promptly, will utilize existing information and resource specialists to the greatest extent appropriate, will focus on key environmental issues, and will provide an opportunity for full participation by interested members of the public and governmental agencies consistent with the applicable legal requirements.

The parties recognize that the Forest Service retains sole responsibility for making decisions with regard to the analysis.

C. IN CONSIDERATION OF THE ABOVE, THE PARTIES AGREE AS FOLLOWS:

1. It is understood by the Applicant and the Forest Service that the analysis will be prepared by a Prime Consultant, hired from a list of Forest Service approved contractors and paid for by the Applicant. The Prime Consultant will be chosen solely by and serve under the direct supervision and control of the Forest Service. The Prime Consultant's work product will be considered Forest Service work product owned by the Forest Service because it will be prepared under Forest Service supervision and is intended to meet legal requirements that apply to the Forest Service. The Prime Consultant may obtain technical assistance or information from one or more independent, third-party subcontractors subject to Forest

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Service approval. The combination of the Prime Consultant and any required subcontractors working under the direction of the Forest Service Case Manager should be sufficient to prepare the analysis.

2. Based upon a review of the project and the information developed to date, the Forest Service and the Prime Consultant will make every effort to meet a time schedule mutually agreed upon in writing by the Applicant and the Forest Service. The schedule may be subsequently modified by mutual agreement of the parties due to events or conditions beyond the control of the parties. In this event, the Forest Service will work with the applicant on a new schedule.
3. Meetings between the Applicant and the Forest Service, for the purpose of exchanging facts and/or information, and updating the status of the analysis, will occur during the project planning stages at the following key points in the planning part of the process:
 - a. Prior to selection of the Prime Consultant or subcontractors.
 - b. Prior to establishing a written time schedule for the preparation of the analysis and prior to modifications thereto.
 - c. The pre-work meeting with the Prime Consultant to review this Scope of Work.
4. These meetings in no way limit the communications between the Applicant and the Forest Service regarding questions of procedural matters, scope of analysis, technical feasibility, mitigation, or other matters. All such meetings will generally include the Forest Service Case Manager, Deirdre A. McLaughlin and the principal contact of the Applicant, Will Wright, Town Manager.
5. Once the NEPA process has started (when the scoping letter is sent out), contact by the Applicant with the Prime Consultant or the Forest Service will be limited to matters of budget, process, technical information and/or clarifications and scheduling (see F.3 and F.4).

D. THE FOREST SERVICE SHALL:

1. Establish a principal point of contact for the Forest Service (see F.12) as the Case Manager on all matters relating to the environmental analysis and the preparation of the document. The duties of the Case Manager shall include oversight of all analyses using past relevant studies and reports, and information supplied by the Applicant, the Forest Service, other agencies, the Prime Consultant, and any subcontractors where necessary; facilitate communications between the Forest Service, the Applicant, the Prime Consultant, and subcontractors to assure a timely and thorough exchange of relevant information among the parties; oversee the public involvement plan developed by the Forest Service, including, without limitation, all necessary scoping meetings and other public reviews; and be responsible for other duties as required to complete the analysis. The goal is to facilitate appropriate and efficient communication between the Forest Service, the Prime Consultant,

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the Applicant, the public and affected Federal, State, and local agencies, to expedite the flow of information necessary for the analysis.

2. Consider the views of the Applicant, in choosing the Prime Consultant and manage the contract. Select the Prime Consultant based on past experience, technical competence, availability to perform work, cost factors, and an absence of conflict of interest.
3. Assist the Applicant, as necessary, with preparation of the contract with the Prime Consultant. The contract will be in accordance with the terms of the Scope of Work.
4. Furnish copies of the following information to the Prime Consultant and/or Applicant:
 - a. The Prime Consultant shall be provided with the agreed-upon schedule of work between the Forest Service and the Applicant.
 - b. An outline of the format to be used and the contents of the analysis as specified at 40 CFR 1500-1508.
 - c. A copy of the Forest Plan, Forest Plan environmental analysis, and Record of Decision with all amendments.
 - d. Copies of the statutes, regulations, Executive orders, Forest Service Manuals and Handbooks which control or guide the preparation of the analysis and the formulation of the legal concerns related to each of the issues.
 - e. The Prime Consultant shall be provided with written comments or reports prepared by Forest Service the Interdisciplinary Team.
 - f. Letters, comments or other materials received by the Forest Service from interested parties or agencies in the scoping session, comments on the document, or at other stages in the analysis process.
5. Meet with the Prime Consultant throughout the preparation of the [X] EA [] EIS to discuss at a minimum the following topics:
 - a. The significant issues that will be addressed in the analysis.
 - b. The design criteria for the proposed action and the alternatives to the proposed action.
 - c. The alternatives to be analyzed in detail and the alternatives that will not be analyzed in detail.
 - d. The changes to the [X] EA [] EIS required by the comments received from the public.
 - e. Proposed mitigation measures and analysis and disclosures required by those measures.
6. Make its own independent evaluation of the information submitted by the Prime Consultant, subcontractors, the applicant, or others, and have responsibility for its accuracy (40 CFR

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1506.5(b)). Make the final determination of the inclusion or deletion of material from the analysis and in all instances involving questions as to the content of any material (including all data, analysis, and conclusions).

7. Convene a Forest Service Interdisciplinary Team (ID Team) as required by 40 CFR 1500 to oversee the environmental analysis. It is anticipated that the ID Team will function principally as a review team, providing technical guidance to the Project Manager, Prime Consultant, and subcontractors regarding the issues and alternatives to be addressed in the analysis. They will provide input and guidance on the adequacy of existing data and studies, and such additional matters as are useful to the prompt and efficient completion of the analysis in compliance with the applicable legal requirements. Every effort will be made to avoid duplication of tasks between the Case Manager, Prime Consultant, subcontractors, and ID Team members and to focus the analysis on significant issues.
8. Provide the necessary personnel and other resources to complete their responsibilities in a timely and professional manner.
9. Upon request, make available all records provided to the USDA Forest Service, pursuant to the provisions of the Freedom of Information Act (FOIA), 5 U.S.C.552 and the Privacy Act, 5 U.S.C. 552a. Submitters of business information will be provided prompt notification of a request for that information. The business information submitter will be given reasonable time in which to object to the disclosure of any specified portion of the information. The business information submitter will be notified of any determination to disclose such records prior to the disclosure date, in order that the matter may be considered for possible judicial intervention. Business information submitters will be promptly notified of all instances in which FOIA requesters bring suit seeking to compel disclosure of submitted information. 7 CFR 1.12.
10. Coordinate the release of the Decision Document.
11. Supervise the preparation of the analysis in compliance with applicable legal requirements including, but not limited to, public review of the analysis, analysis of public comments, and decision documentation. In exercising this responsibility, the Forest Service will endeavor to foster cooperation among other relevant agencies and to integrate NEPA requirements with other environmental review and consultation requirements in order to avoid, to the fullest extent possible, duplication of efforts by such agencies. (40 CFR 1500.5(g)-(h), 1501.2(d)(2), 1506.2) However, the Forest Service will not delegate to any other agency its authority over the scope and content of the analysis or its approval of the Project.
12. Via the Prime Consultant, and consistent with the applicable legal requirements, maintain the official administrative record for the project until the decision is signed. At that time, the project record will be delivered to the Forest Service.
 - a. The Forest Service shall provide direction to the Prime Consultant for design, organization, indexing, preparation, and maintenance of the administrative record for the project.

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- b. The Prime Consultant and subcontractors shall document the sampling, testing, field observations, literature searches, analysis, recommendation, and other work which provides source material for the analysis, and any Supplements to them. The Prime Consultant and subcontractors shall also document all the Forest Service's records in a similar and compatible manner.
 - c. The documentation shall be assembled in some organizational system which will make it possible for the responsible official to refer conveniently to specific documents or pages within documents. The source documents shall be listed. The list shall show the date, author, addresses, subject, and document or page number. The list shall be an appendix to the analysis and used to incorporate by reference the items on the list in the analysis.
 - d. The list shall be prepared on a current basis throughout the environmental analysis and documentation processes so that it reflects the following information for each document: date, document number, page number, author, addressee, issue, sub-issue, and by page number. Provision should be made for printing reports of the sorted information.
 - e. Two complete copies of the record will be available to the public during the Draft analysis comment period. Any documents added after the comment period is prepared shall be included in the set of documents.
13. Through the Case Manager, develop a protocol, appended as Attachment A, on page 13 (the "Protocol"), to facilitate communication and coordinate the exchange of information between the Applicant, the Forest Service, and the Prime Consultant. All such communications will be part of the Forest Service's deliberative process regarding the proposed project. This protocol will be determined considering the complexity of the proposed action, the Federal Advisory Committee Act, the Freedom of Information Act, and related agency guidance.
14. The Case Manager will keep the Applicant informed of the status of the analysis and will discuss with the Applicant any additional data needs, and of changes needed in the terms of the third-party contracts.
15. Via the Prime Consultant and subcontractors, and as documented in their respective written contracts, and consistent with the applicable legal requirements:
- a. Develop a public involvement plan for the public scoping.
 - b. Arrange for and participate in the agency and public scoping meetings and make available to the Applicant and the public any summary of the results.
 - c. Design visual aids for meetings and open houses including maps, handouts, poster boards, mailers, and so forth.

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- d. Develop an information mailer/newsletter and news releases for the scoping period and comment period, as well as for the release of the final analysis and decision documents.
 - e. Develop a mailing list and, at the direction of the Forest Service, draft responses to comments for Forest Service approval.
 - f. Be responsible for conducting and completing all necessary studies, inventories, and suitable reports for all resource values in the scoping process. These resource values may include but not be limited to: Cultural features; sensitive, threatened and endangered plant and animal species; wetlands; visual esthetics; fisheries; and riparian zones and tundra environments.
- 16. Invite the Applicant to attend meetings with Federal, State, regional, and local agencies and the public whenever possible and as appropriate (for example, discussions on procedural matters; physical, biological, and social issues; the proposal and alternative actions; impacts and their mitigation; and other compliance requirements).
 - 17. Meet with the Applicant as early as possible to discuss the project description, and various components of the analysis as needed to determine mitigation measures necessary to avoid or mitigate adverse impacts.
 - 18. Address Applicant-proposed alternatives and respond to comments submitted by the Applicant during the analysis process, whether of a procedural or substantive nature.
 - 19. Be responsible for the public review of the analysis, public hearings, analysis of public comments, distribution of the documents, within established time frames, with input as required from the Applicant.
 - 20. Be recipient of all comments on the Draft analysis resulting from the public comments. Determine any necessary modification of the text as a result of public comments with input from the Applicant.
 - 21. To the fullest extent possible, utilize existing information, inventories, studies, and reports to support the analysis. Accept and utilize information submitted within the established time schedule by the Applicant, consultants working for the Applicants, and other parties provided that such information can be verified by the Forest Service and is accurate as required by 40 CFR 1506.5(a) and (c).

E. THE APPLICANT SHALL:

- 1. Establish a principal point of contact (see F.12) for the Applicant on all matters relating to the environmental analysis.
- 2. Select a Prime Consultant from the Forest Service list of qualified contractors for the completion of the analysis on the Project which will be subject to review and written

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acceptance by the Forest Service. The Applicant's views on the selection of a Prime Consultant will be solicited and considered, but the Prime Consultant will be selected solely by the Forest Service.

3. Require a disclosure statement to be executed by the Prime Consultant, the Prime Consultant's professional personnel, and the Prime Consultant's subcontractors stating that the Prime Consultant, the Prime Consultant's professional personnel and the Prime Consultant's subcontractors have no financial interest in the outcome of the analysis or any Biological Assessment pertaining to the project proposed by the Applicant (40 CFR 1506.5(c)).
4. Provide to the Prime Consultant or the Forest Service any justifiable, necessary, or relevant technical or environmental information it may have, which is needed (at the Forest Service's discretion) for analysis preparation.
5. Respond to data requests and provide review comments (for example, on description of the project and changes thereto) within a reasonable time set by the Forest Service. If the Applicant fails to provide requested materials on schedule, the analysis schedule will be adjusted by the Forest Service to the extent necessary for timely completion of the proposal.
6. Provide information about the practicality and feasibility of design criteria, mitigation measures, and related agreements as requested by the Forest Service.
7. Be solely responsible for all Primary Consultant and subcontractor fees, costs, and expenses and make no claim against the Forest Service for such fees, costs, and expenses.
8. Fund all reproduction, printing, and distribution of preliminary, Draft, and Final documents, unless otherwise agreed to by the Forest Service.
9. Provide in contracts with the Prime Consultant and any subcontractors that they are not to conduct public surveys or questionnaires without prior approval of the Forest Service.

F. IT IS MUTUALLY AGREED AND UNDERSTOOD BY THE PARTIES THAT:

1. The Prime Consultant will be under the supervision of the Forest Service, and the Forest Service will make the final determination concerning the scope and contents of the consultant's work. The contract between the Applicant and the Prime Consultant will specify compliance with all applicable legal requirements.
2. All information and data collected by the Prime Consultant and any subcontractors will be inserted in the administrative record.
3. The complexity and the independent nature of the NEPA process requires a common understanding of the roles of the Forest Service personnel, the Applicant, the Prime Consultant, and other interested persons, agencies, and organizations. The role of the

Appendix C **Scope of Work**

Applicant is the same as it would be if the process were being entirely performed by Forest Service personnel, with no Applicant financing.

4. The independent nature of the NEPA process creates the need to conduct the process with integrity. As specified in D.13, the Forest Service Case Manager will establish the process for the efficient flow of communication between the Prime Consultant, the Applicant, and the Forest Service. Oral and written communications among ID Team members are protected from disclosure to preserve the integrity of the deliberative process. Individuals who disclose this kind of information to the public and/or the applicant will be excluded from further participation in the analysis.
5. The Prime Consultant is an important part of the interdisciplinary process and will aid and support the Forest Service ID Team.
6. All planning data, maps, files, reports, computer, audio or video tapes, and disks and other records will be made a part of the permanent administrative record.
7. In the event of a challenge to the legality or adequacy of the Forest Service compliance with NEPA with respect to the proposal of the Applicant, the Applicant, the Prime Consultant, the Prime Consultant's professional personnel, and the subcontractors shall, at the Applicant's expense, make available to the Federal Government all pertinent non-privileged information under their control, and to the extent reasonable, discuss such information with the Government, and testify at deposition or trial regarding such information.
8. As required by NEPA, the Forest Service will give full consideration to a "No Action Alternative" and other alternatives identified by the ID Team that are technically and economically feasible and address the purpose and need and significant issues. The Applicant's financing of this analysis will have no bearing on the consideration given to the "No Action" or other alternatives.
9. Either party, in writing, may terminate the Cost Recovery Agreement (FS-2700-26) in whole, or in part as stated in clause C.11 of that Agreement, at any time before the date of expiration. In the event of termination, it is agreed to as follows:
 - a. The analysis preparation process will terminate.
 - b. All documentation, reports, analyses, and data used in the analysis developed by the Applicant, the Prime Consultant, or the Prime Consultant's subcontractors up to the date of termination will be delivered to the Forest Service and be placed in the administrative record.
 - c. The Applicant's contract with the Prime Consultant will require the Prime Consultant to submit to the Forest Service a written report on the environmental work and analyses done by the Contractor.

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Scope of Work

- d. Preparation of the analysis may be initiated by the Forest Service, consistent with federal government manpower and budget limitations.
10. Any information furnished to the Forest Service under this Scope of Work is subject to the Freedom of Information Act (5 U.S.C. 552).
11. This Scope of Work in no way restricts the Forest Service or the Applicant from participating in similar activities with other public and private agencies, organizations, and individuals.
12. The principal contacts for this Scope of Work are:
 - For the Forest Service: Deirdre A. McLaughlin, Williams and Tusayan Ranger District, Lands and Minerals Staff Officer, 928/635-5662
 - For the Applicant: Will Wright, Town Manager, Town of Tusayan 928/638-9909
13. Nothing in this Scope of Work must obligate either the Forest Service or the Applicant to obligate or transfer funds. Specific work projects or activities that involve the transfer of funds, services, or property among the various agencies and offices of the Forest Service and the Applicant will require execution of separate agreements and be contingent upon the availability of appropriated funds. Such activities must be independently authorized by appropriate statutory authority. This Scope of Work does not provide such authority. Negotiation, execution, and administration of each such agreement must comply with all applicable statutes and regulations.
14. This Scope of Work is not intended to, and does not create, any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity, by a party against the United States, its agencies, its officers, or any person.
15. This Scope of Work may be amended upon mutual written agreement of all parties.

Attachment A Communication Protocol

A. The Purpose:

The purpose of this communication protocol is to facilitate communication and coordinate the exchange of information between the Applicant, the Forest Service, and the Prime Consultant. All such communications will be part of the Forest Service's deliberative process regarding the proposed project. This protocol will be determined considering the complexity of the proposed action, the Federal Advisory Committee Act, the Freedom of Information Act, and related agency guidance.

Oral and written communications among ID Team members are protected from disclosure to preserve the integrity of the deliberative process. Individuals who disclose this kind of information to the public and/or the applicant will be excluded from further participation in the analysis.

B. The Goals:

The goal of this protocol is to coordinate how, when, and who will be contacted during the different phases of the application processing and NEPA analysis of the proposed easement for the Town of Tusayan, starting with the signing of the Cost Recovery Agreement through to a decision of the NEPA process.

C. Audiences:

The different audiences of this communication protocol for the project are:

- The Forest Service
- The Prime Consultant
- The Applicant, the Town of Tusayan
- The applicants Authorized Agents, including the Stilo Development Group, USA representatives as stated in the Town of Tusayan's application for an easement
- Coordinating Agencies (NPS, USFWS, AZG&F, SHPO, local Tribes, GCUSD, etc.)

D. Communication Tools:

Communications include all written, spoken, and electronic interaction with audiences. This communication protocol encompasses objectives, goals, and tools for all communications, including but not limited to:

- periodic print publications;
- online communications;
- meeting and conference materials;
- media relations and public relations materials;
- legal documents;
- incoming communications, including reception procedures and voice mail and email content;
- team communiques;
- surveys;
- certificates and awards;
- specialist reports; and appropriate NEPA documentation
- signage;
- speeches; and
- invoices.

Attachment A

Communication Protocol

E. Communication Responsibilities:

The Forest Service will communicate directly with the Applicant's appointed Point of Contact for matters of:

- the status of the analysis
- additional data needs, and of changes needed in the terms of the third-party contracts
- Invite the Applicant to attend meetings with Federal, State, regional, and local agencies and the public whenever possible and as appropriate (for example, discussions on procedural matters; physical, biological, and social issues; the proposal and alternative actions; impacts and their mitigation; and other compliance requirements).
- discuss the project description
- Various components of the analysis as needed to determine mitigation measures necessary to avoid or mitigate adverse impacts.
- Procedural matters
- Technical feasibility

The Applicant's Point of Contact will communicate directly with the Forest Service Case Manager for matters of:

- Respond to data requests and
- Provide review comments (for example, on description of the project and changes thereto)

The Applicant's Point of Contact will limit their communication with the Prime Consultant, once the scoping letter has gone to the public, to matters of:

- Budget
- Process
- Technical information and/or clarification
- Scheduling

The Applicant's Point of Contact will be solely responsible for communication with the Applicant's Authorized Agents. The Applicant's Point of Contact will be responsible for:

- Inviting the Applicant's Authorized Agents to any meetings between the Forest Service and the Applicant
- Forwarding copies of all written correspondence between the Forest Service and the Point of Contact for the Applicant

It will be the responsibility of the Applicant's Principal Contact to inform the Applicant's Authorized Agents of any meetings, correspondence, email or any other information that the Applicant's Principal Contact deems necessary for the Applicant's Authorized Agents to be in attendance, or know.

F. Schedule of Meetings:

I. Meeting with the Forest Service and the Applicant

The timeline will generally follow the established timeline from the Scope of Work, meetings between the Forest Service and the Applicant will be established for the following key timeframes:

- Prior to selection of the Prime Consultant or subcontractors.
- Prior to establishing a written time schedule for the preparation of the analysis.

Attachment A Communication Protocol

- The pre-work meeting with the Prime Consultant to review this Scope of Work.
- Project Administration Meetings
 - To be held monthly in a location to be agreed to by the Lead Agency, Applicant and Prime Consultant.
 - Agenda for meeting to include:
 - Review of schedule, including:
 - Current activities
 - Anticipated activities
 - Review of budget
 - Identification of data needs and status of requested data
 - Agenda to be prepared by the Prime Consultant, reviewed by the Lead Agency, and distributed to attendees prior to the meeting.
 - Meeting summary, including action items, to be prepared by the Prime Consultant, reviewed by the Forest Service Case Manager, and distributed to meeting attendees within one week following the meeting.
- Project Technical Meetings (IDT Meetings)
 - To be held monthly with an in person meeting to be held immediately prior to the Project Administration Meeting and a conference calls for all other meetings.
 - Agenda for meeting to include:
 - Review of schedule, including:
 - Current activities
 - Anticipated activities
 - Identification of data needs and status of requested data
 - Agenda to be prepared by the Prime Consultant, reviewed by the Forest Service Case Manager, and distributed to attendees prior to the meeting.
 - Meeting summary, including action items, to be prepared by the Prime Consultant, reviewed by the Forest Service Case Manager, and distributed to meeting attendees within one week following the meeting.
- Weekly and Monthly Status Reports
 - The Prime Consultant will provide the Forest Service and Applicant's Point of Contact weekly status reports on Friday. The reports will be provided via email by close of business. The reports will follow an agreed upon standardize format including deliverable, due date, status, and updated comments.
 - The Prime Consultant will provide the Forest Service and Applicant's Point of Contact monthly status reports by the 15th of each month. In the case of the 15th of the month falling on a weekend day, the report will be due the closest workday to the 15th (i.e. if the 15th falls on a Saturday, the report will be due the 14th; if the 15th falls on a Sunday, the report will be due on the 16th). The reports will provide detailed written descriptions of the efforts completed during the month, efforts ongoing during the month, efforts to be undertaken during the next month, and outstanding data needs.

II. Meetings between the Forest Service and the Prime Consultant

The Forest Service will meet with the Prime Consultant throughout the preparation of the analysis to discuss, at a minimum, the following. (Meetings will be scheduled as necessary):

- Significant issues that will be addressed in the analysis
- Design criterial for the proposed action and the alternatives to the proposed action

Attachment A
Communication Protocol

- The alternatives to be analyzed in detail and the alternatives that will not be analyzed in detail
- The changes to the analysis required by comments received from the public
- Proposed mitigation measures and analysis and disclosures required by those measure

This communication protocol is accepted.

Town of Tusayan, Arizona
Will Wright
TOWN MANAGER, Town of Tusayan, Arizona

Date

Michael R. Williams

FOREST SUPERVISOR
Kaibab National Forest
USDA, Forest Service

Date